

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In Re

Justo Reyes,

Debtor.

-----X

In Re

Karen Jackson,

Debtor.

-----X

In Re

Janet Berger,

Debtor.

-----X

In Re

Anastasia Cretekos,

Debtor.

-----X

In Re

Frank Occhipinti,

Debtor.

-----X

In Re

Richard Graham Watson,

Debtor.

-----X

Chapter 13

Case No. 16-22556-shl

Chapter 13

Case No. 16-23514-shl

Chapter 13

Case No. 17-22921-shl

Chapter 13

Case No. 18-22239-shl

Chapter 13

Case No. 18-22690-shl

Chapter 13

Case No. 18-22923-shl

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In Re

Douglas Kramer,

Debtor.

Chapter 13
Case No. 18-22940-shl

-----X

In Re

Charmaine J Brown,

Debtor.

Chapter 13
Case No. 18-23036-shl

-----X

In Re

Janice K. Desmond,

Debtor.

Chapter 13
Case No. 18-23750-shl

-----X

In Re

Suzanne Faupel,

Debtor.

Chapter 13
Case No. 19-22007-shl

-----X

In Re

Christopher Rocco Gizzo,

Debtor.

Chapter 13
Case No. 19-22051-shl

-----X

In Re

John Kolkowski,

Debtor.

Chapter 13
Case No. 19-22172-shl

-----X

-----X

In Re

Catherine Pelle,

Debtor.

Chapter 13
Case No. 19-22229-shl

-----X

In Re

David Daniel Akerib,

Debtor.

Chapter 13
Case No. 19-22276-shl

-----X

In Re

Sarah Frankel,

Debtor.

Chapter 13
Case No. 19-22281-shl

-----X

In Re

Malka Farkas,

Debtor.

Chapter 13
Case No. 19-22520-shl

-----X

In Re

Blossom Joyce Consingh,

Debtor.

Chapter 13
Case No. 19-23034-shl

-----X

**ORDER IMPOSING *STATUS QUO* RE: ESCROW FUNDS PENDING DISPOSITION
OF ORDER TO SHOW CAUSE WHY COURT SHOULD NOT SANCTION COUNSEL**

WHEREAS, this Court, in the above-captioned chapter 13 cases (“Cases”), having entered an Order to Show Cause Why Court Should Not Sanction Counsel on June 17, 2021 (“OSC”) as to why Linda M. Tirelli, Esq., counsel to the debtors in the Cases, should not be

sanctioned with respect to whether misrepresentations were made regarding the escrowing of post-petition mortgage payments, and

WHEREAS, the Court having entered an Order Adjourning Order to Show Cause on July 2, 2021 (“Adjournment Order”), and

WHEREAS, on July 13, 2021, in one of the Cases, (In re Watson, No. 18-22923 (SHL)), Ms. Tirelli transferred funds held in her trust account to the Office of the Chapter 13 Trustee, Krista M. Preuss, Esq., and

WHEREAS, in response to such transfer, on July 15, 2021, William K. Harrington, as the United States Trustee for Region 2, filed a letter in the Cases requesting a Status Conference and the Court’s guidance concerning maintaining the *status quo* for the uniform preservation of all escrow funds at issue in the OSC and Adjournment Order, and

WHEREAS, such Status Conference having been held on July 21, 2021, with the appearances of Evan Wiederkehr, Esq. (as counsel to Ms. Tirelli), Andrew D. Velez-Rivera (as counsel to the United States Trustee), and Dennis Jose (as counsel to the Chapter 13 Trustee), and further with the appearance of the Chapter 13 Trustee (Krista Preuss), and due deliberation having been had, and good cause appearing, it is hereby:

ORDERED, that in the Cases and in all other applicable chapter 13 cases in which she is debtor’s counsel, Linda M. Tirelli, Esq. shall keep any escrow funds currently on deposit in her trust account(s) in such account(s), pending further order of the Court, and it is further

ORDERED, that on a case-by-case basis, Linda Tirelli, Esq., may seek relief from this Order with respect to the *status quo* directed above, including on the ground that such relief is necessary to ensure compliance with Connecticut Code of Conduct Rule 1.15(e), and it is further

ORDERED that, the dismissal of any of the above Cases or any other applicable chapter 13 case shall not divest this Court of jurisdiction with respect to the further adjudication, interpretation and enforcement of the OSC, Adjournment Order, and this Order, and it is further

ORDERED that, pending further order of the Court, the *status quo* directed above shall survive the dismissal of any of the Cases or any other applicable case to the extent permitted by controlling legal authority.

Dated: **November 17, 2021**
White Plains, New York

/s/ Sean H. Lane

HONORABLE SEAN H. LANE
UNITED STATES BANKRUPTCY JUDGE